

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

ELECTRONIC PRIVACY INFORMATION
CENTER, *et al.*,

Plaintiffs,

v.

U.S. OFFICE OF PERSONNEL
MANAGEMENT, *et al.*,

Defendants.

No. 1:25-cv-0255 (RDA/WBP)

JOINT MOTION FOR BRIEFING SCHEDULE

The parties, through undersigned counsel, respectfully move this Court to adopt a briefing and hearing schedule with respect to Plaintiffs’ motion for a temporary restraining order (Dkt. 5). Good cause for the requested relief is:

1. On February 10, 2025, Plaintiffs filed this case, alleging generally that Defendants have unlawfully provided access to certain information technology systems at the U.S. Department of the Treasury and U.S. Office of Personnel Management to individuals affiliated with the U.S. Department of Government Efficiency (“DOGE”) Service. *See generally* Compl. (Dkt. 1).

2. On February 12, 2025, Plaintiffs filed a motion for a temporary restraining order, seeking to restrain Defendants from continuing to provide the at-issue access. *See* Mot. (Dkt. 5).

3. Counsel for the parties, since February 12, have conferred in good faith regarding an appropriate schedule for briefing and holding a hearing on Plaintiffs’ motion. Despite their efforts, the parties have been unable to agree on such a schedule. The parties’ respective positions are as follows.

4. **Plaintiffs' position:** Plaintiffs have reason to believe that their confidential personal data is at risk of or has been subject to disclosure in violation of federal law, and they are experiencing ongoing harm as a result. For that reason, Plaintiffs have moved as quickly as possible to seek expedited temporary relief to preserve Plaintiffs' privacy interest against the irreparable harm of disclosure. Accordingly, Plaintiffs propose the following schedule, in line with the Court's default civil motions hearing schedule:

- a) Defendants' opposition will be due on **Monday, February 17, 2025, by 5 pm;**
- b) Plaintiffs' reply, if any, will be due on **Tuesday, February 18, 2025, by 5 pm;**
- c) the Court will hold a hearing on Plaintiffs' motion on **Wednesday, February 19, 2025.**

5. **Defendants' position:** Defendants believe more time than that proposed by Plaintiffs is needed to obtain, in a form appropriate for submission to the Court, all of the factual information needed to appropriately inform the Court (and Plaintiffs) as to the issues in sufficient time to file an opposition to Plaintiff's motion on February 17, 2025, as proposed by Plaintiffs, particularly in light of the impending holiday weekend. Accordingly, Defendants propose a schedule in line with the standard non-dispositive motion schedule used by this Court:

- a) Defendants' opposition will be due on **Wednesday, February 19, 2025, by 5 pm;**
- b) Plaintiffs' reply, if any, will be due on **Thursday, February 20, 2025, by 5 pm;** and
- c) the Court will hold a hearing on Plaintiffs' motion on **Friday, February 21, 2025.**
- d) Should the Court adopt this schedule, Defendants respectfully request the hearing occur in the afternoon of February 21, 2025.

6. The parties respectfully submit these positions for the Court's resolution.

7. In addition, Defendants do not oppose Plaintiffs' motion to proceed pseudonymously (Dkt. 3) and Plaintiffs therefore waive hearing on that motion.

8. Two proposed orders are attached to this motion for the Court's convenience. The first sets forth Plaintiffs' proposed schedule, and the second sets forth Defendants' proposed schedule.

9. The parties waive hearing on this joint motion.

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Dated: February 14, 2025

Respectfully submitted,

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